

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff

v.

ONE (1) ROPE CHAIN NECKLACE, 24 ½
INCHES LENGTH; ONE (1) DIAMONDS
TENNIS NECKLACE CONTAINS 225
BRILLIANT SHAPE, 27 INCHES LONG;
ONE (1) GUCCI GRAMMY AWARDS
SPECIAL EDITION; and \$612.00 IN U.S.
CURRENCY,

CIVIL NO. 20-

Defendants.

VERIFIED COMPLAINT FOR FORFEITURE IN REM

TO THE HONORABLE COURT:

COMES NOW, plaintiff, the United States of America, by and through its undersigned attorneys, W. Stephen Muldrow, United States Attorney for the District of Puerto Rico and Héctor E. Ramírez-Carbó, Assistant United States Attorney, Chief Civil Division, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure.

NATURE OF THE ACTION

1. This is a civil action in rem brought to enforce the provisions of Title 21, United States Code, Sections 841, 846, 860 and 881(a)(6) and Title 18, United States Code, Section 1956.

DEFENDANT IN REM

2. The defendant properties seized by an officer of the Federal Bureau of Investigation (“FBI”), consist of: ONE (1) ROPE CHAIN NECKLACE, 24 ½ INCHES LENGTH; ONE (1) DIAMONDS TENNIS NECKLACE CONTAINS 225 BRILLIANT SHAPE, 27 INCHES LONG; ONE (1) GUCCI GRAMMY AWARDS SPECIAL EDITION; and \$612.00 IN U.S. CURRENCY.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over an action commenced by the United States pursuant to Title 28 United States Code, Section 1345; over an action for forfeiture pursuant to Title 28, United States Code, Section 1355; and over this particular action pursuant to Title 21, United States Code, Sections 841, 846, 860 and 881(a)(6) and Title 18, United States Code, Section 1956.
4. This Court has in rem jurisdiction over the defendant properties pursuant to Title 28, United States Code, Section 1355(b)(1)(A) (acts and omissions giving rise to the forfeiture occurred in this district) and Section 1355(b)(1)(B) (the defendant properties is found in this district).
5. Venue is proper in this district pursuant to Title 28, United States Code, Section 1355(b)(1)(A) (acts and omissions giving rise to the forfeiture occurred in this district) and Section 1395 (the defendant properties is found in this district).

BASIS FOR FORFEITURE

6. This is a civil action in rem brought to enforce the provisions of Title 21, United States Code, Section 841 (Unlawful acts), 846 (Attempt and conspiracy), 860 (Distribution or

manufacturing in or near schools and colleges), and 881(a)(6) (All moneys, negotiable, instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of this subchapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this chapter); and Title 18, United States Code, Section 1956 (Laundering of monetary instruments).

FACTS

7. The facts and circumstances supporting the seizure and forfeiture of the defendant properties are contained in the Title 28, United States Code, Section 1746 unsworn declaration of the Federal Bureau of Investigation (“FBI”), Special Agent, Alex Castro attached hereto, and incorporated herein as if fully stated.

CLAIM FOR RELIEF

WHEREFORE, the United States of America prays that a warrant of arrest for the defendant properties be issued; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that judgment be entered declaring the defendant properties condemned and forfeited to the United States of America for disposition according to law; and that the United States of America be granted such other and further relief as this Court

[INTENTIONALLY BLANK]

may deem just and proper, together with the costs and disbursements of this action.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico, this ____th day of _____, 2020.

W. STEPHEN MULDROW
United States Attorney

s/ Héctor E. Ramírez-Carbó
Héctor E. Ramírez-Carbó
Assistant U.S. Attorney
Chief Civil Division
USDC-PR-NO. 214902
UNITED STATES ATTORNEY'S OFFICE
Torre Chardón, Suite 1201
350 Carlos Chardón Street
San Juan, Puerto Rico 00918
Phone Number: (787)766-5656
Hector.E.Ramirez@usdoj.gov

VERIFIED DECLARATION

I, Héctor E. Ramírez-Carbó, Assistant U.S. Attorney, Chief Civil Division for the District of Puerto Rico, declare under penalty of perjury as provided by Title 28, United States Code, Section 1746, the following:

That the foregoing Complaint is based on reports and information furnished to me by the Federal Bureau of Investigation ("FBI"); that everything contained therein is true and correct to the best of my knowledge and belief.

Executed in San Juan, Puerto Rico, this 2th day of January, 2020.

Héctor E. Ramírez-Carbó

Héctor E. Ramírez-Carbó
Assistant U.S. Attorney
Chief Civil Division

VERIFIED DECLARATION

I, Alex Castro, Special Agent, FBI, declare as provided by Title 28, United States Code, Section 1746, the following:

I have read the contents of the foregoing Complaint for Forfeiture in Rem and the attached unsworn declaration thereto, and I find the same to be true and correct to the best of my knowledge and belief. I declare under penalty of perjury that the foregoing is true and correct.

Executed in San Juan, Puerto Rico, this 2 day of January, 2020.

Alex Castro

Alex Castro, Special Agent
Federal Bureau of Investigation ("FBI")

UNSWORN DECLARATION IN SUPPORT OF FORFEITURE COMPLAINT

INTRODUCTION

Pursuant to Title 28, United States Code, Section 1746, I, Alex Castro, Special Agent, of the United States Department of Justice, Federal Bureau of Investigations (FBI), I declare under penalty of perjury that the foregoing is true and correct:

PROFESSIONAL BACKGROUND

I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7). I am, therefore, an officer who is empowered to conduct criminal investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516.

I have been a Special Agent with the FBI since May 2016. As a Special Agent of the FBI, I have been sworn to enforce the laws of Title 21, United States Code, and related offenses under Title 18, United States Code. I received over 18 weeks of training at the FBI Academy at Quantico, Virginia. During which, I was trained on basic and advanced techniques to investigate violent gangs. Prior to attending the FBI Academy, I served as a Police Officer with the Hillsborough County Sheriff's Office from 2009 to 2012 and the Tampa Police Department from 2012 to 2016, in Tampa, Florida. During my service, I conducted a plethora of criminal investigations as a patrolmen. Many of those investigations dealt with violent gangs, violent crimes, etc.

Since graduating from the FBI Academy, I was assigned to the San Juan Division's (SJD) East Resident Agency (ERA). During my time in the ERA, I was responsible for investigating violations of federal code embodying violent crime, firearm violations, and narcotic violations with regards to violent gangs. In 2019, I was reassigned to the SJD's Criminal Enterprise Squad

(CE-4). The squad's mission is to operate under the Safe Streets Task Force initiative to combat local and regional violent crime and its associated activities with a focus on violent gang members.

In my training and experience, I have learned that narcotics trafficking is an overwhelming lucrative illegal activity. I have specifically learned through other law enforcement personnel, active investigations, and training, that narcotics such as cocaine, heroin, and marijuana enter the Puerto Rico region from other countries and territories. The countries include Columbia, Venezuela, Dominican Republic, and the territories include the United States Virgin Islands, the British Virgin Islands, and Puerto Rico. Moreover, narcotics proceeds are also transported between these supply countries and territories.

During my law enforcement career, I have received detailed instruction and conducted various complex conspiratorial investigations concerning the unlawful importation and distribution of narcotics; the laundering and concealment of drug proceeds; and the illegal use of communication facilities by drug traffickers in furtherance of their criminal activities.

This Unsworn Declaration is submitted in support of a Civil Forfeiture Complaint, for the Forfeiture of assorted jewelry and United States currency with an estimated monetary value of \$31,636.00. Therefore, I have not set forth each and every fact learned during the course of this investigation.

PROPERTY TO BE FORFEITED

ONE (1) ROPE CHAIN NECKLACE, 24 ½ INCHES LENGTH; ONE (1) DIAMONDS TENNIS NECKLACE CONTAINS 225 BRILLIANT SHAPE, 27 INCHES LONG; ONE (1) GUCCI GRAMMY AWARDS SPECIAL EDITION; and \$612.00 IN U.S. CURRENCY.

BASIS FOR FACTS CONTAINED IN THIS UNSWORN DECLARATION

I make this unsworn declaration, on information and determinations derived from oral and/or written reports and documents about this and other federal agents or officers of the FBI, Drug Enforcement Agency (DEA), Police of Puerto Rico (POPR), San Juan Police Department, and other local and federal law enforcement officers and/or their agencies:

1. Since the year 2015, the Federal Bureau of Investigation (FBI) jointly with the Drug Enforcement Administration (DEA) and Police of Puerto Rico – San Juan Strike Force (POPR-SJSF) have been conducting an investigation related to a violent gang operating within Barrio Obrero, San Juan, Puerto Rico. As a result of the ongoing violent and drug trafficking criminal activities in the area, officers of the POPR-SJSF have corroborated the presence of several drug distribution points operating in the area. Evidence seized by the FBI, DEA, and POPR-SJSF on different instances have corroborated the presence of weapons and illegal drugs being sold within this area.
2. On February 20, 2019, ANTHONY GONZALEZ MIRANDA (Gonzalez), was federally indicted for Title 21, United States Code, Sections 841(a)(1), 846 and 860. *See USA v. [29] Anthony González-Miranda*, Criminal Case Number 19-121 (GAG). Post indictment, Gonzalez was a federal fugitive for almost five (5) months, up until his arrest with another co-conspirator, on July 18, 2019, at the Gold Drink (Sports Lounge) in San Juan, Puerto Rico. The POPR and the United States Marshal's Service (USMS) located Gonzalez and executed the arrest of the same. Upon Gonzalez's arrest, the following items were found on his person: \$612.00 U.S. currency and Miscellaneous Jewelry (One (1) Rope Chain Necklace, 24 ½ Inches Length; One (1) Diamonds Tennis Necklace Contains 225 Brilliant

Shape, 27 Inches Long; One (1) Gucci Grammy Awards Special Edition) Appraised At \$31,024.00.

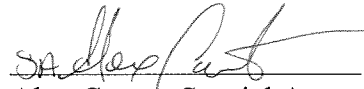
3. Since the arrest of Gonzalez, a records check was performed by the FBI through the Puerto Rico Department of Treasury. The records indicated Gonzalez has never filed tax returns in the commonwealth of Puerto Rico. However, during 2015 and 2016, Gonzalez received miscellaneous income in W-2 from "Valera Parking Services, Inc." for \$4,304.00 and "Municipio de San Juan" for \$1,065.00. Also, a records check within the Puerto Rico Electronic Lottery was completed on behalf of Gonzalez and revealed negative results for any winnings.
4. Furthermore, several cooperating federal government sources have identified Gonzalez, also known as (aka) "SALAMI," as an individual who regularly packages and transports kilogram quantities of cocaine to the United States from Puerto Rico. Once in the U.S., Gonzalez would facilitate the sale of said cocaine and returning the monetary proceeds back to Puerto Rico to further the organization's illegal drug activity.
5. In August of 2018, the Pennsylvania State Police (PSP) intercepted a package sent through the United States Postal Service (USPS) containing two (2) kilograms of cocaine sent from Puerto Rico. The PSP executed a controlled delivery at 149 Wilson St. Apt. 102, Middletown, PA 17057. The search resulted in the seizure of a firearm, drug packaging material, drug cutting agents, miscellaneous paraphernalia, and \$23,000.00 U.S. Currency. The PSP located several items of indicia in the form of mail, identifying Gonzalez as a resident of the aforementioned apartment.
6. PSP arrested individuals identified as family members of Gonzalez. Interviews of said family members by PSP officers revealed that Gonzalez lived at the aforementioned

address and stayed in the bedroom where the package material containing the cocaine used in the control delivery was found along with the drug cutting agent, drug paraphernalia, and packaging material.

7. On July 18, 2019, FBI Agents interviewed Gonzalez, Post-Miranda. Gonzalez informed agents that he was unemployed at the time of his arrest and that he had recently moved to Puerto Rico from 149 Wilson St. Apt. 102. Gonzalez advised he had lived at said apartment from 2017, after Hurricane Maria (September 20, 2017), up until approximately March of 2019.
8. On October 18, 2018, FBI Agents executed a federal search warrant at Urbanization Las Haciendas, Calle Camino Largo #88, Canovanas, Puerto Rico 00729, identified by the FBI as being rented by two of Gonzalez's co-conspirators. The search revealed a drug ledger with Gonzalez's aka, "SALAMI." The drug ledger appeared to associate Gonzalez and another co-conspirator with six figure amounts believed to be related to illegal drug activity.

Based on my training, experience, and this investigation, I determined the attached US currency and valuables, that is, The ONE (1) ROPE CHAIN NECKLACE, 24 ½ INCHES LENGTH; ONE (1) DIAMONDS TENNIS NECKLACE CONTAINS 225 BRILLIANT SHAPE, 27 INCHES LONG; ONE (1) GUCCI GRAMMY AWARDS SPECIAL EDITION; and \$612.00 IN U.S. CURRENCY are forfeitable as proceeds of a drug trafficking offense, pursuant to Title 21, United States Code, Sections 841(a)(1), 846, 860 and 881 and money laundering transaction, as per Title 18, United States Code, Sections 1956(a)(1)(B)(i), (ii).

Sworn and signed under penalty of perjury, pursuant to Title 28, United States Code,
Section 1746, San Juan, Puerto Rico this 2nd day of January, 2020.

A handwritten signature in black ink, appearing to read "SA Alex Castro", written over a horizontal line.

Alex Castro, Special Agent
Federal Bureau of Investigation

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Héctor E. Ramírez-Carbó, AUSA, 350 Carlos Chardon Ave, Suite 1201, Hato Rey, PR 00918

DEFENDANTS

US v. ONE (1) ROPE CHAIN NECKLACE, 24 1/2 INCHES LENGTH, et al.

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Title 21, U.S.C. Sections 841, 846, 860, and 881(a)(6) and Title 18, USC, Section 1956.

VII. REQUESTED IN COMPLAINT:

UNDER F.R.C.P. 23

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

January 2, 2020

SIGNATURE OF ATTORNEY OF RECORD

s/Héctor E. Ramírez-Carbó

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____


United States District Court *for the* District of Puerto Rico
CATEGORY SHEET

1. Title of Case (Name of first party on each side only)

US v. ONE (1) ROPE CHAIN NECKLACE, 24 ½ INCHES LENGTH, et al.

2. Category in which case belongs: (See Local Rules)

☒ X

ORDINARY CIVIL CASE
SOCIAL SECURITY
BANK CASE
INJUNCTION

CIVIL FORFEITURE

3. Title and number, if any, of related cases (See Local Rules)

4. Has a prior action between the same parties and based on the same claim ever been filed in this Court?

☐ YES

☒ X

NO

5. Is this case required to be heard and determined by a District Court of three judges pursuant to Rule 28 U.S.C. 2284?

☐ YES

☒ X

NO

6. Does this case question the constitutionality of a state statute (FRCP 24)?

☐ YES

☒ X

NO

(Please Print)

USDC ATTORNEY'S ID NO.

214902

ATTORNEY'S NAME:

HECTOR E. RAMIREZ-CARBO

MAILING ADDRESS:

TORRE CHARDON, SUITE 1201, 350 CARLOS CHARDON AVE

HATO REY PR

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